## **Staff Summary**

		•	FC	R EXI	ECUTIVI	E SESSION ONLY
Subject						Date
Resolution to authorize settlement of outstanding Hotel/Motel					otel/Motel	July 23, 2015
Taxes						
Department						Vendor Name
County Attorney						
Department Head Name,						Contract Number
Carnell T. Foskey Lisa doluto						
Department Head Signature Chief Deputy County atterny						Contract Manager Name
Project Manager Name						
Proposed Legislative Action						Internal Approvals
	То	Date	Approval	Info	Other	Date & Init.   Approval   Date & Init.   Approval
	Assgn Comm					Dept. Head 7/24/15 Counsel to C.E.
	Rules Comm					Budget County Atty.
	Full Leg					Deputy C.E. 24/15 9 County Exec.
Purpose:						
This resolution to authorize settlement of outstanding Hotel/Motel/Taxes due to Nassau County from Alrose Allegria, LLC. The						
County will receive approximately \$907,000 to satisfy outstanding taxes and to bring this entity into compliance.						
<u>Matters</u>						
County of Nassau v. Alrosee Allegria, LLC. d/b/a Allegria Hotel; Alrose King David, LLC and Alrose Group, LLC.						
Index No. 8209/14; Index No. 2018/15						
Novertino						
Narrative Two affirmative actions were brought by the County against defendant Alrose to enforce payment for outstanding Hotel/Motel						
taxes due to the County of Nassau by defendant Alrose. County and defendant have reached mutual agreement to satisfy these						
delinquent payments.						
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Recommendation:						

Approve settlement resolution

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## Inter-Departmental Memo FOR EXECUTIVE SESSION ONLY

To:

Clerk of the Legislature

From:

Office of the County Attorney

Date:

July 23, 2015

Re:

RESOLUTION - ORIG. DEPT. - Office of the County Attorney

An RESOLUTION authorizing the County Attorney to compromise and settle two actions both entitled *County of Nassau v. Alrose Allegria LLC*, et al., Index Nos.8209/14; 15-002018, Supreme Court, Nassau County, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code.

The above-described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon their calendar.

CARNELL T. FOSKEY

County Attorney

By: Gerald R. Podlesak

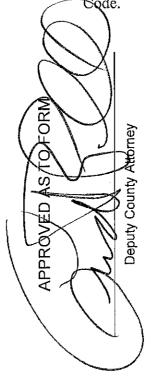
Deputy County Attorney

Attachments

## RESOLUTION NO.

- 2015

An RESOLUTION authorizing the County Attorney to compromise and settle two actions both entitled *County of Nassau v. Alrose Allegria LLC*, et al., Index Nos.8209/14; 15-002018, Supreme Court, Nassau County, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative



OLERK SET DES DE ROZATURE

WHEREAS, the County of Nassau commenced two actions against Alrose Allegria, LLC, et al. entitled *County of Nassau v. Alrose Allegria LLC, et al., Index Nos.8209/14; 15-002018*, Supreme Court, Nassau County, seeking to recover unpaid hotel/motel occupancy taxes, and the parties have agreed to settle the actions pursuant to a "so ordered" stipulation contingent on this Legislature's approval; and

WHEREAS, under the terms of the settlement, the County will receive at least \$907,481 representing delinquent taxes, penalties and interest; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said actions and as a result thereof recommends that they be settled in the manner set forth in a "so ordered" stipulation; now, therefore, be it RESOLVED, the County Attorney be and is hereby authorized and directed to settle the said actions for the consideration as set forth in the "so ordered" stipulation; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this supplemental appropriation Resolution is a "Type II" Action within the meaning of Section 617.5(c)(20) of 6 N.Y.C.R.R. ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment"), and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.